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8 Attorneys for Plaintiff

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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12

13 UNITED STATES OF AMERICA,)	No. CR 06-00621-JW
)	
14 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER RE: CONTINUANCE OF
15 vs.)	<u>STATUS CONFERENCE</u>
)	
16 SEAN RIGSBY,)	
)	
17 Defendant.)	
)	

18 The parties, by and through their counsel of record, hereby stipulate to the following:
19

20 1. The parties request that the Court continue the status conference presently set for
21 January 29, 2007 to February 26, 2007 at 1:30 p.m.

22 2. The parties stipulate and request that the Court find the following as a factual basis for
23 continuing the plea hearing:

24 The parties are continuing their discussions regarding an appropriate disposition in this
25 case. Both parties have exchanged ideas and information pertinent to the disposition, and are
26 considering the parameters of a possible disposition. Such consideration on the part of both
27 parties is necessary to making an informed decision regarding the plea and/or continuing with
28

1 trial preparation. Additional time is required by both parties to complete this investigative and
2 information-sharing process.

3 3. The parties agree that the time between January 29, 2007 and February 26, 2007 shall
4 be excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section
5 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv).
6 The parties agree that the time is excludable in that the ends of justice served by granting this
7 continuance outweigh the best interests of the public and the defendants in an earlier trial
8 specifically based on the need for counsel to have adequate time to complete their consideration
9 of the totality of the discovery, and subsequently developed information, in connection with a
10 possible disposition. The parties therefore agree that a continuance is necessary to ensure that
11 counsel are prepared to make informed decisions regarding the case, and denial of such a
12 continuance would unreasonably deny defendant Rigsby effective case preparation pursuant to 18
13 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

14
15 KEVIN V. RYAN
16 United States Attorney

17 _____
18 DATE

17 JEFFREY D. NEDROW
18 Assistant United States Attorney

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20 _____
21 DATE

20 MARY CONN
21 Attorney for Sean Rigsby
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. CR 06-00621-JW
)	
Plaintiff,)	
)	
v.)	ORDER CONTINUING STATUS
)	<u>CONFERENCE AND EXCLUDING TIME</u>
SEAN RIGSBY,)	
)	
Defendant.)	
_____)	

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE PARTIES, IT IS HEREBY ORDERED that the status conference in the above-referenced case is continued from January 29, 2007 to February 26, 2007 at 1:30 p.m.

The Court finds the time from January 29, 2007 to February 26, 2007 excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The Court finds that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial specifically based on the need for counsel to have adequate time to complete their consideration of the totality of the discovery, and subsequently developed information, in connection with a possible disposition. The Court finds that a continuance is necessary to ensure that counsel are prepared to make informed decisions

1 regarding the case. The Court further finds that denial of such a continuance would unreasonably
2 deny defendants effective case preparation pursuant to 18 U.S.C. § 3161(h)(8)(A) and
3 3161(h)(8)(B)(iv).

4
5 DATE: January 25 2007


JAMES WARE
UNITED STATES DISTRICT JUDGE